

Jodie Berger (SBN 124144)
jberger@wclp.org
Richard Rothschild (SBN 67356)
rrothschild@wclp.org
Robert Newman (SBN 86534)
rnewman@wclp.org
Antionette Dozier (SBN 244437)
adozier@wclp.org
WESTERN CENTER ON LAW & POVERTY
3701 Wilshire Blvd., Suite 208
Los Angeles, CA 90010
T: (213) 235-2617
F: (213) 487-0242

Lindsay Nako (SBN 239090)
lnako@impactfund.org
Fawn Rajbhandari-Korr (SBN 315888)
fkorr@impactfund.org
Meredith Dixon (SBN 346864)
mdixon@impactfund.org
IMPACT FUND
2080 Addison St., Suite 5
Berkeley, CA 94704
T: (510) 845-3473
F: (510) 845-3654

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ANIKI OKJE ERDMANN-BROWNING
and JACQUELINE BENITEZ, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

THOMAS J. VILSACK, Secretary, United
States Department of Agriculture, in his
official capacity; SHALANDA YOUNG,
Director of the United States Office of
Management and Budget, in her official
capacity.

Defendants.

Case No.: 3:23-cv-04678

**DECLARATION OF LOUISE HAYES
IN SUPPORT OF PLAINTIFFS' *EX
PARTE* APPLICATION FOR
TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE RE:
PRELIMINARY INJUNCTION**

CLASS ACTION

Hearing Date: September 13, 2023
Time: TBD

Action filed: September 12, 2023

1 I, Louise Hayes, pursuant to 28 U.S.C. § 1746, declare as follows.

2 1. I have personal knowledge of the facts in this declaration. If asked to testify at a
3 hearing, I could and would testify truthfully and competently to the following based on personal
4 knowledge.

5 2. I am a Supervising Attorney at Community Legal Services of Philadelphia.

6 3. Community Legal Services of Philadelphia is the largest provider of civil legal
7 services in Philadelphia, each year representing over 11,000 low-income Philadelphians with a
8 wide variety of legal problems. We also engage in litigation and policy advocacy to solve
9 systemic problems at the root. Because our clients are low-income, the overwhelming majority
10 of them receive Supplemental Nutrition Assistance Program (SNAP) benefits.

11 4. I am Community Legal Services' primary SNAP advocate. In addition to helping
12 CLS clients to get and keep SNAP, I engage in advocacy with federal, state, and local
13 governments to help ensure the SNAP program in Pennsylvania is robust and accessible to our
14 clients.

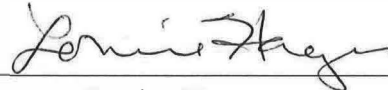
15 5. On September 8, 2023, I emailed Carl Feldman, Director of the Bureau of Policy
16 with the Pennsylvania Department of Human Services' Office of Income Maintenance. I
17 believe he is Pennsylvania's SNAP Director, though he might instead supervise Pennsylvania's
18 SNAP Director. I inquired about the date by which the state must transmit the EBT files in order
19 to ensure that households timely receive their October 2023 benefits. Specifically, I emailed, "A
20 legal services organizational ally is worried that a federal government shutdown would affect
21 SNAP issuance, and is preparing litigation to seek to ensure continued issuance in that
22 case. They're asking what states' deadlines are for transmitting EBT files in order to timely issue
23 October SNAP benefits. 1. Are you worried about this? 2. If so, what's PA's deadline?"

24 6. On September 8, 2023, Mr. Feldman responded that the EBT files must be
25 transmitted by September 25, 2023 to ensure that households receive timely October benefits.
26 Specifically, he stated, "We are concerned about it. We really need to know ASAP. Payments
27
28

1 would need to start being issued by 9/25. Unfortunately, we cannot proceed without FNS
2 guidance and that is often held until fairly late in negotiations."

3
4 I hereby declare under penalty of perjury under the laws of Pennsylvania and the laws of
5 the United States of America that the foregoing is true and correct.

6 Executed on September 11, 2023, in Philadelphia, Pennsylvania.

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9 Louise Hayes
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